

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

MARY LYNN COLLARD,

Plaintiff,

vs.

UNITED STATES OF AMERICA (IRS),

Defendant.

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No. 3:10-CV-0776-M-BH

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing Plaintiff's Motion to Strike the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and conducting a *de novo* review of those parts of the Findings and Conclusions to which objections have been made, I am of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

For the reasons stated in the Findings, Conclusions, and Recommendation, Plaintiff *Collard's Motion to Remand*, filed May 11, 2010 (doc. 9), is **DENIED** and the *United States' Motion to Dismiss* for lack of jurisdiction under Fed. R. Civ. P. 12(b)(1), filed May 20, 2010 (doc. 13), is **GRANTED**. Plaintiff is hereby **SANCTIONED** in the amount of \$300 for filing frivolous motions and **PROHIBITED** from filing any future action in this Court until she pays the \$300 monetary sanction previously imposed in this case. If she attempts to file another action in this Court without providing proof that she has paid the \$300 sanction, the submission will be docketed for administrative purposes only and immediately closed after placing a copy of this order in the file. No other action will be taken on non-compliant submissions. If an action filed by Plaintiff is removed or transferred to this Court, she will have fourteen days from the opening of the case in this Court to submit the proof of payment. If she fails to timely provide proof of payment, the removed or transferred case will be summarily closed.

Plaintiff is also **WARNED** that she may be sanctioned further if she continues to pursue

frivolous claims, contentions, and arguments, or to otherwise abuse the litigation process. Sanctions may include an order that she pay a monetary sanction to the clerk of court and/or restrictions on her ability to file actions or motions without first obtaining leave of court to do so. By separate judgment, this action will be dismissed without prejudice for lack of jurisdiction.

SO ORDERED this 12th day of August, 2010.

A handwritten signature in black ink, reading "Barbara M. G. Lynn". The signature is written in a cursive style with a horizontal line underneath it.

BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS